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**Executive Summary of Statement of  
Jim Marszalek, DAV National Service Director  
House Veterans' Affairs Committee  
May 2, 2017**

- DAV strongly supports the draft appeals reform legislation, as well as similar bills that embody the appeals modernization framework, and urges swift Congressional action to pass and enact the legislation early this year.
- Based on our collective experience representing more veterans before the VBA and Board than any other veterans service organization, DAV believes the draft legislation will fully protect their due process rights while creating multiple options for them to receive more favorable and accurate decisions in a more timely and efficient manner.
- To strengthen the draft legislation, DAV makes the following recommendations:
  1. The draft legislation should clarify that claimants can elect different appeals options for individual “issues” decided within a claim.
  2. New terminology should be used to distinguish the two Board dockets, such as labeling them “new evidence – no new evidence” instead of “hearing – no hearing”.
  3. To remove confusion about evidentiary periods for Board appeals and improve administrative efficiency, appellants who elect the hearing option should be allowed to submit evidence from the NOD filing until 90 days after the hearing.
  4. The Board should be required to regularly report on the length of time it takes to process appeals on each docket it maintains; when evidence is received, but not considered in a decision; when it screens cases; and when the “new and relevant” standard is used to deny supplemental claims or appeals.
  5. Congress should create a “Stakeholder Transition and Implementation Advisory Committee” to help strengthen oversight of the legacy and modernized systems.
  6. All VA plans, metrics and reports provided to Congress should also be made immediately available to the public.
  7. VBA and the Board should be provided additional authority and resources to hire two-year temporary employees, with the goal of eventually converting the best temporary employees into permanent employees based on the future and continuing personnel requirements of VBA and the Board.